

## U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

November 12, 2007

By Facsimile

The Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 920  
New York, New York 10007-1312

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DATE FILED: \_\_\_\_\_

Re: United States v. Montgomery, et al.  
S4 05 Cr. 1067 (KMK)

Dear Judge Karas:

The Government respectfully submits this letter to request that the Court permit the Government to file one brief in response to all of the defendants' supplemental post-trial motions.

In an Order, dated October 10, 2007, the Court ordered defendant Steven Riddick to file a supplemental post-trial motion by October 31, 2007, and the Government to respond by November 16, 2007.

Riddick served his letter-brief in support of his motion on or about October 26, 2007. Shortly thereafter, defendant Nathaniel Alexander joined in Riddick's motion.

On November 9, 2007, defendant Naresh Pitambar filed a supplemental post-trial motion on grounds similar to Riddick's. Also on November 9, 2007, defendant Roberto Montgomery filed a letter indicating that joined in the previously filed motions and intended to shortly file more information specific to Montgomery. Subsequently, Montgomery confirmed to the Government that he intended to supplement his November 9, 2007, letter on or before November 16, 2007.

In order to most efficiently brief the issues raised by defense counsel and avoid duplicative briefing, the Government requests that the Court permit the Government until December 3, 2007, to respond to all of the defendants' supplemental post-trial motions. This will permit the Government to file one omnibus brief responding to all of the issues raised by the defendants.

Sentencing of these defendants is currently scheduled for December 12, 2007.

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Based on electronic mail exchanged with counsel for Riddick, Pitambar, and Montgomery, I can represent that they consent to the briefing schedule requested by the Government.

Respectfully submitted,

MICHAEL J. GARCIA

United States Attorney

By:



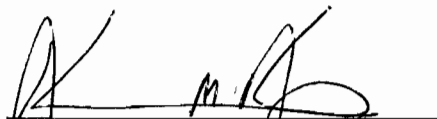
E. Danya Perry/Daniel W. Levy

Assistant United States Attorneys

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*The Government may submit  
one memo of law to respond to  
all supplemental post-trial motions by  
SO ORDERED:*

*December 3, 2007.*

  
The Honorable Kenneth M. Karas  
United States District Judge

Dated: November 13, 2007

cc: (by facsimile)

Thomas H. Nooter, Esq.  
Denis P. Kelleher, Jr., Esq.  
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